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RUSSIA: "You have the law, we have orders"

By Geraldine Fagan, Forum 18 (<https://www.forum18.org>)

Two Baptist preachers in Russia's Baltic Sea exclave of Kaliningrad have been fined after their community "sang psalms and spoke about Christ" in the street, they have told Forum 18 News Service. Speaking on condition of anonymity, a source in the Kaliningrad police told Forum 18 that all public gatherings – whether political or religious – must be authorised by the municipal authorities in advance. "But they didn't have permission and they had no intention of getting it!" he remarked, clearly irritated by the Baptists' actions. Asked why permission is necessary, the source replied, "That's the law in Russia!" Aleksandr Legotin, one of the two Baptists, insisted that, as the Baptists held a religious service and not a demonstration, the legal requirement to notify the authorities in advance should not have applied. "We follow the law very carefully," he told Forum 18. "And under the Universal Declaration [of Human Rights] we have the right to freedom of conscience – the law should be doing the opposite, protecting us from such arbitrariness."

Two Baptist preachers in Kaliningrad – Russia's Baltic exclave bordered by the European Union - were fined a total of 2,200 roubles (424 Norwegian Kroner, 50 Euros or 73 US Dollars) on 25 September after their community "sang psalms and spoke about Christ" in the street, they have told Forum 18 News Service.

Mikhail Alentyev and Aleksandr Legotin have not yet decided whether to appeal against the fine, handed down by a magistrate at Gusev Municipal Court for violating regulations on holding public demonstrations (Article 20.2, Part 1 of the Administrative Violations Code), Alentyev told Forum 18 from Kaliningrad on 29 September.

All public gatherings – whether political or religious – must be authorised by the municipal authorities in advance, a Kaliningrad police source speaking on condition of anonymity told Forum 18 on 1 October. "But they didn't have permission and they had no intention of getting it!" he remarked, clearly irritated by the Baptists' actions, while admitting they had not disturbed public order. Asked why permission is necessary, the source replied, "That's the law in Russia!" and pointed to Article 20.2 of the Administrative Violations Code. He declined to comment further.

Legotin insisted that, as the Baptists held a religious service and not a demonstration, the legal requirement to notify the authorities in advance should not have applied. "We follow the law very carefully," he told Forum 18 from Kaliningrad on 1 October. "And under the Universal Declaration [of Human Rights] we have the right to freedom of conscience – the law should be doing the opposite, protecting us from such arbitrariness."

Under the 1997 Religion Law (Article 16, Part 5) public religious gatherings come under the law on demonstrations. But according to the 2004 Demonstrations Law - which demands advance notification (not permission) from organisers – religious gatherings are regulated by the Religion Law (Article 1). Law enforcement agencies are thus free to interpret as they choose, and often understand notification as permission.

Alentyev commented to Forum 18 that his 30-strong Gusev congregation "knows from experience" that the local authorities will block its public evangelisation if they do submit advance notification. The community belongs to the Baptist Council of Churches, which broke away from the Soviet-recognised Baptist Union in 1961 in protest at regulations preventing missionary activity and religious instruction to children. Its communities refuse on principle to register with the authorities in post-Soviet countries.

As the Gusev Baptists preached, sang, played musical instruments and handed out gospels in the town's centre during their end-August evangelisation week, they were disrupted by police four times. "They said, 'What right do you have to do this? Permission? No? Then down to the police station!'" recalled Alentyev, who was detained there for an hour on 3 September.

When likewise detained, Legotin tried to point to religious freedom guarantees in international and national law, as well as the 1993 Russian Constitution, he told Forum 18, but one police officer retorted, "You have the law, we have instructions!" He also said that police accused the Baptists of being extremists.

According to an 18 September Council of Churches report, police officers shouted at and ridiculed the Gusev preachers, and threatened to shut them in a cellar when they refused to sign statements.

Legotin and Alentyev both told Forum 18 this is the first year they have been obstructed by the Kaliningrad authorities. According to the Council of Churches report, police detained and interrogated preachers in Polesk in July. Ten days later, Legotin and a second preacher were summoned to the municipal public prosecutor's office and told they were banned from conducting religious activity in the district without state registration.

In January, police disrupted evangelisation by some 25 Baptists, including Legotin, in Domnovo village (Pravdinsk District). All were detained by police, who took their names, home and work addresses, and interviewed minors without their parents. They also accused the Baptists of receiving funds from abroad and "parasitism" ["tuneyadstvo"], an allegation commonly levelled at religious believers and dissidents during the Soviet period. Legotin rejects this charge. "I have two jobs," he told Forum 18 indignantly. "We all work."

Council of Churches communities consistently encounter state opposition when they conduct public religious activity. According to their 23 May report, a female police officer in civilian clothes and several unidentified men broke up evangelisation at Losevo village market in Voronezh Region on 20 May, warning that if the Baptists did not leave they would be beaten. The preachers later received death threats from locals, and one of their cars was set alight. Similar attacks have taken place in other regions in previous years (see most recently F18News 22 September 2008 http://www.forum18.org/Archive.php?article_id=1190) (END)

For a personal commentary by Irina Budkina, editor of the <http://www.samstar.ru> Old Believer website, about continuing denial of equality to Russia's religious minorities, see F18News 26 May 2005 http://www.forum18.org/Archive.php?article_id=570.

For more background, see Forum 18's Russia religious freedom survey at http://www.forum18.org/Archive.php?article_id=1196.

Analysis of the background to Russian policy on "religious extremism" is available in two articles: 'How the battle with "religious extremism" began' (F18News 27 April 2009 http://www.forum18.org/Archive.php?article_id=1287) and 'The battle with "religious extremism" - a return to past methods?' (F18News 28 April 2009 http://www.forum18.org/Archive.php?article_id=1288).

Reports on freedom of thought, conscience and belief in Russia can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=10>.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Russia is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=europe&Rootmap=russi>.

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY